



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Number: 200675056

Date: February 14, 2006

Comments Due: March 16, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Cornerstone Golf and Equestrian Community project, which would result in impacts to approximately 6.82 acres of waters of the United States, including wetlands. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Cornerstone Montrose LLC
609 Clinton Street, Suite 103
Ridgway, Colorado 81432
(214) 978-8703

LOCATION: The project site is located 20 miles south of the City of Montrose within Sections 6, 7 and 18, Township 46 North, Range 9 West, and Sections 1, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 27, 28, 33 and 34, Township 46 North, Range 10 West, Montrose and Ouray counties, Colorado, and can be seen on the Horsefly Peak, Colo USGS Topographic Quadrangle.

PROJECT DESCRIPTION: Based on the available information, the overall project purpose is to create a rural recreational based residential community. The proposed project would consist of residential units, a championship 18-hole golf course, an equestrian center, and an extensive trail system to accommodate a variety of outdoor recreational activities. The applicant proposes to preserve approximately one-half of the project site as open space using design factors which include habitat values, aesthetics and recreation. Limits would be placed on development to maintain much of the existing character of the site. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting: The project site is located on approximately 6,057 acres of forested, shrub and open rangeland within Montrose and Ouray counties, Colorado (1,575 and 4482 acres, respectively). There are approximately 6.82 acres of wetlands within the project area that would be impacted with implementation of the applicant's preferred project. The site is located on the fringe and edge of the Uncompahgre Plateau. The Ouray County portion of the project would include 128 residential sites, golf course, equestrian center, and wastewater treatment facility, and the Montrose County portion would include an additional 284 residential

sites. Approximately 3,000 acres of the project to be dedicated to open space is proposed to be maintained through implementation of a Wildlife Management Plan developed through input by local environmental groups. The use of land surrounding the project site on the south, east and north included several large working ranches, and the site is adjacent the Paxton Reservoir planned residential subdivision on the west.

Alternatives. The applicant has provided information concerning project alternatives. That information although not carried forward in discussion as discrete alternatives, was a planning effort that went through several revisions to the original development plans which incorporate avoidance and minimization of impacts to stream channels and wetlands. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. To that end, the applicant has proposed to mitigate for, and has presented a conceptual mitigation plan to offset project impacts to drainages and wetlands. Under the applicant's preferred alternative, approximately 1.81 acres of palustrine emergent, 0.24 acre of palustrine forested/scrub-shrub, 0.93 acre of palustrine forested, 0.91 acre of open water/palustrine unconsolidated bottom and 2.93 acres of ephemeral stream would be impacted. The applicant proposes to mitigate for project impacts by developing 15.46 acres of inkind wetlands at numerous dispersed sites and performing 1.05 acres of stream mitigation at 4 separate drainages (See attached drawings and tables).

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Colorado Department of Public Health and Environment, Water Quality Control Division is required for this project. The applicant has indicated that they have applied for certification.

HISTORIC PROPERTIES: Based on the available information, cultural resources are not within the project's area of potential effect. However, the Corps will coordinate with the State Historic Preservation Officer and the applicant under Section 106 of the National Preservation Act to insure compliance with cultural resource requirements.

ENDANGERED SPECIES: The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps will initiate consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue

from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 200675056, must be submitted to the office listed below on or before March 16, 2006:

Ken Jacobson, Project Manager
US Army Corps of Engineers, Sacramento District
Colorado/Gunnison Basin Regulatory Office
400 Rood Avenue, Room 142
Grand Junction, Colorado 81501-2563
Email: Ken.Jacobson@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Ken Jacobson, (970) 243-1199, extension 11, Ken.Jacobson@usace.army.mil.

Attachments: 76 drawings